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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: VOLKSWAGEN “CLEAN DIESEL”
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

MDL No. 2672 CRB

This Document Relates To:

*Direct Automotive Management, Inc. v.
Volkswagen Group of America, Inc., et al.,
Case No. 3:18-cv-0335*

**NOTICE OF VOLUNTARY
DISMISSAL OF CERTAIN
DEFENDANTS WITH
PREJUDICE PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41 AND
STIPULATION TO WITHDRAW
MOTION TO DISMISS**

The Honorable Charles R. Breyer

NOTICE IS HEREBY GIVEN by Plaintiff Direct Automotive Management, Inc. (“Plaintiff” or “DAM”), through its undersigned counsel, that the claims asserted by Plaintiff against Defendants Volkswagen AG (“VWAG”) and Volkswagen Group of America, Inc. (“VWGoA” and, collectively with VWAG, “VW Defendants”) in the action captioned *Direct Automotive Management, Inc. v. Volkswagen Group of America, Inc., et al*, No. 3:18-cv-0335 be and hereby are dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). VW Defendants have not filed an answer or a motion for summary judgment in this action. Plaintiff reserves any and all causes of action alleged against Defendants Robert Bosch, LLC and Robert Bosch GmbH.

FURTHER, IT IS HEREBY STIPULATED AND AGREED by Plaintiff and VW Defendants, through their undersigned counsel, that VW Defendants’ Motion to Dismiss Plaintiff’s First Amended Complaint, filed on August 28, 2018 (MDL Docket No. 5277; Inv. Dkt No. 15) is withdrawn as moot.

Each party shall bear its own fees and costs, including attorneys’ fees, in connection with this action.

SO STIPULATED.

Dated: November 5, 2019

Respectfully submitted,

/s/ W. Kirby Bissell

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ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

/s/ Andrew J. Finn

Andrew J. Finn

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Andrew J. Finn

Andrew J. Finn